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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MOOG INC.,

Plaintiff,

v.

SKYRYSE, INC., et al.,

Defendants.

CASE NO. 2:22-cv-09094-GW-MAR

**INDIVIDUAL DEFENDANTS MISOOK
KIM AND ALIN PILKINGTON'S
PARTIAL JOINDER IN DEFENDANT AND
COUNTERCLAIMANT SKYRYSE, INC.'S
OPPOSITION TO MOOG INC.'S MOTION
FOR LEAVE TO FILE AMENDED
COMPLAINT**

The Honorable George H. Wu

Hearing Date: June 22, 2023

Time: 8:30 a.m.

Courtroom: 9D

MEMORANDUM OF POINTS AND AUTHORITIES

Individual Defendants Misook Kim (“Ms. Kim”) and Alin Pilkington (“Mr. Pilkington”) (collectively the “Individual Defendants”) hereby join in part Defendant and Counterclaimant Skyrise, Inc.’s (“Skyrise”) Opposition to Moog Inc.’s (“Moog”) Motion for Leave to File Amended Complaint, which was filed on June 1, 2023 (ECF 509). The Individual Defendants hereby incorporate into this Joinder, by this reference, Skyrise’s Opposition, the complete files and records in this action, and the arguments and evidence presented at the time of hearing, and reserve the right to supplement Skyrise’s Opposition with facts and concerns unique to the Individual Defendants, as appropriate.

The Individual Defendants join in Skyrise’s arguments in opposition to Moog’s motion to amend its complaint to add a claim for common-law conversion against all defendants (Count II) as such amendment would be futile as the claim is preempted by trade secret law.¹

For the reasons stated in Skyrise’s Opposition, the Individual Defendants request that the Court deny Moog’s motion to amend as to Count II (conversion) of Moog’s proposed amended complaint.

DATED: June 2, 2023

HALPERN MAY YBARRA & GELBERG LLP

By: /s/ Grant B. Gelberg
GRANT B. GELBERG

Attorneys for Defendant
MISOOK KIM

¹ The Individual Defendants take no position on Skyrise’s arguments related to Moog’s proposed claim for breach of the implied covenant of good faith and fair dealing against Skyrise.

1 DATED: June 2, 2023

ZWEIBACK, Fiset & ZALDUENDO LLP

2
3 By: /s/ Scott D. Tenley
4 SCOTT D. TENLEY

5 Attorneys for Defendant
6 ROBERT ALIN PILKINGTON

7 **ATTESTATION**

8 Pursuant to Local Rule 5-4.3.4(a)(2), I hereby attest that all signatories listed
9 above, and on whose behalf the filing is submitted, concur in the filing's content and
10 have authorized the filing.

11
12 DATED: June 2, 2023

By: /s/ Grant B. Gelberg
13 GRANT B. GELBERG